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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,063	12/22/2000	Timothy A. Best	ST9-99-186	1655

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N. W.
Washington, DC 20037-3213

EXAMINER
PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
2173	8

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,063	BEST ET AL.	
	Examiner	Art Unit	
	Namitha Pillai	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

4a) Of the above claim(s) *43-45* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

   I. Group I, claims 1-42, drawn to a method for generating multiple applets in separate windows, classified in class 345, subclass 749.

   II. Group II, claims 43-45, drawn to a method for generating an applet with a JInternal component, classified in class 345, subclass 781.

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. Group I relates to a method for generating multiple applets, whereas, Group II relates to a method for generating an applet with the JInternal frame component. The first group consists of a technique for simultaneously generating multiple applets, whereas the second group concentrates on using JInternal frame components for generating one webtop applet. Consequently, the method of Group I may employ JInternal frame components as claimed in Group II. However, Group I may also employ frame components in an entirely different manner than that claimed in Group II.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, and because the search required for Groups I and II, vary based on each group, restriction for examination purposes as indicated is proper.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

During a telephone conversation with Applicants' Attorney on June 30, 2003 a provisional election was made without traverse to prosecute the invention drawn claims 1-42, for a method for generating multiple applets simultaneously in separate windows. Affirmation of this election must be made by the Applicant in replying to this Office action. Claims 43-45 are withdrawn from further consideration by the Examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Specification

5. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 10-12, 14-15, 24-26, 28-29, 38-40 and 42 rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6,513,158 B1 (Yogaratnam).

Referring to claims 1 and 29, Yogaratnam discloses receiving user selection of applets (column 2 lines 58-60 and column 4, lines 58-60) and generating separate windows for each of the selected applets, as seen by the four application windows being open in Figure 5 and executing each applet in a separate window, as seen by the desktop shown in Figure 5 (column 3, lines 5-10).

Referring to claims 10, 11, 24, 25, 38 and 39, Yogaratnam discloses loading a webtop applet into a browser window and having this applet be loaded in connection with Java applications (column 2, lines 24-32).

Referring to claims 12, 26 and 40, Yogaratnam refers to a service vendor plug-in, which serves as the webtop applet which when executed is responsible for giving accessing to and providing the information for the user interface plug-in (Figure 6) to display the available applets that can be accessed by the users, as shown in Figure 7. See column 3, lines 1-5 and column 4, lines 53-60.

Referring to claims 14, 28 and 42, Yogaratnam discloses selecting applets from a toolbar (Figure 7), wherein there is a separate window for each generated applet, as shown in the desktop of Figure 5.

Referring to claim 15, Yogaratnam discloses that this application for executing applets simultaneously is used within the Internet, thereby suggesting a client/server paradigm (column 1, lines 7-10). Yogaratnam also discloses the relationship between the client and server, wherein the client has a data store coupled to for storing data that is

accessed from a server, with a data store coupled to with data for the client to access through a network (column 5, lines 15-24). Yogaratnam discloses receiving user selection of applets (column 2 lines 58-60 and column 4, lines 58-60) and generating separate windows for each of the selected applets and executing each applet in a separate window, as seen by the desktop shown in Figure 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 3-9, 18-23 and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogaratnam and U. S. Patent No. 5,561,757 (Southgate).

Referring to claims 3-9, 18-23 and 31-37, Yogaratnam does not disclose the manipulation of the windows, which represent the running applications. Southgate discloses allowing windows to be resized (column 1, line 61), repositioned (column 1, lines 64-65), minimized and maximized (column 1, line 59-60), overlapping of windows (column 2, lines 10-11) and cascading and tiled (column 3, lines 5-6). It would have been obvious for one skilled in the art at the time of the invention to learn from Southgate to implement means for manipulating the windows wherein the applications would be represented. Southgate discusses these manipulation techniques as being applicable to any GUI with windows (column 1, lines 26-37), as such as is disclosed in Yogaratnam. Hence, one skilled in the art, at the time of the invention would have been motivated to

learn from Southgate to implement basic manipulation techniques for the layout of the windows.

8. Claims 13, 27 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogaratnam and "The Swing Tool Set" article.

Referring to claims 13, 27 and 41, Yogaratnam does not disclose using a JInternal frame to represent the applet windows. "The Swing Tool Set" article discloses a means for using JInternal frames, wherein these components would be used to represent objects, such as windows in desktop environments (page 10, row 4), much like the desktop environments of Yogaratnam. It would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the window representation of the applets through a JInternal frame component. JInternal frame components are obviously used to represent objects within a desktop environment, much like the ones used in Yogaratnam. Hence, it would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the applets such as they are represented through JInternal frame components.

Conclusion

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for managing fields.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official

communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
July 24, 2003

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100